

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Valerie Santiful, Tameka Rhoden,  
individually and on behalf  
of all others similarly situated,

Plaintiffs,

-against-

Wegmans Food Markets, Inc.,

Defendant.

Case No. 7:20-cv-02933-NSR

**NOTICE OF MOTION AND  
MOTION TO DISMISS  
PLAINTIFFS' SECOND AMENDED  
COMPLAINT PURSUANT TO  
RULE 12(b)(6)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss Plaintiffs' Second Amended Complaint, Defendant Wegmans Food Markets, Inc. moves, before the Honorable Nelson S. Román, United States District Court Judge for the Southern District of New York, at the United States District Courthouse, 300 Quarropas Street, White Plains, NY 10601, for an order dismissing the Second Amended Complaint of Plaintiffs Valerie Santiful and Tameka Rhoden (Dkt. 21) pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, on the grounds that the Complaint fails to state a claim upon which relief can be granted.

Dated: March 30, 2022

Respectfully submitted,

/s/ August T. Horvath

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*Attorneys for Defendant Wegmans Food  
Markets, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 30th of March 2022, a true and correct copy of the foregoing document has been served on counsel of record who are deemed to have consented to electronic service via electronic mail.

/s/ August Horvath

August T. Horvath